IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

–

WRIT PETITION NO : 22266 of 1995

Between:

Ch.A.Naidu S/o Tatalu
R/o Gopalapatnam, Visakhapatnam

..... PETITIONER

AND

1 Industrial Tribunal Cum Labour Court,
Visakhapatnam
2 K.Mohan Rao, Contractor,
China Gantyada, Gajuwaka, Visakhapatnam-530 026.

(Petition against R-2 is dismissed for default as per Court

order dated 5.8.2004)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records pertaining to the order dt. 23/3/94 in M.P.24/91 as amended in I.A.191/94 dt.14/2/95 by issuing a writ or direction more particularly one in the nature of Certiorary and quash set aside the same so far as rejecting the claim of back wages at the rate of Rs.900/- p.m. wages from the of award till the date of order dt.23/3/94, difference of wage Rs.300/- from 24/1/88 till 26/11/88 and for other benefits sought by the petitioner pursuant to the award dt.26/11/90 in I.A.74/89 consequentially direct the 2nd respondent to implement the award dt.26/11/90in I.D.No.74/89.

Counsel for the Petitioner:MR.G.RAM GOPAL

Counsel for the Respondent No.1: GP FOR LABOUR

The Court made the following :

O R D E R:

The writ petition is filed assailing the order dated 23-03-1994 passed by the Industrial Tribunal-cum-Labour Court, Visakapatnam, in M.P.No.24 of 1991, claiming wages for the period mentioned in the application.

2. The Tribunal, however, after adjudication of the matter, allowed the claim of the workman by an order dated 23-03-1994 to the extent of Rs.22,602.65 ps. Not satisfied with the said amount, the present writ petition has been filed.

3. The learned counsel for the petitioner, however, submits that the petitioner is entitled for higher amount, namely Rs.60,000/- on the basis of Rs.900/- per month, whereas, the amount was granted very less. Therefore, the calculation made by the Tribunal is not correct.

4. I am not inclined to accept the contention of the learned counsel for the petitioner, as the Tribunal, basing on the evidence available on record, has computed the amount taking into consideration Rs.460/- as wages per month from 01-01-1988 to 23-01-1988. Thus, I am not inclined to interfere with the finding recorded by the Tribunal.

5. I do not find any merits in this writ petition and the same is accordingly dismissed. No costs.

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G. BIKSHAPATHY, J

Date: 20-01-2005

Prv/Bsb

To

1 The Chairman, Industrial Tribunal Cum Labour Court, Visakhapatnam

2 Two CCs to G.P. for Labour, High Court of Andhra Pradesh,

Hyderabad (OUT).

3. Two CD copies.